

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

FRANKLIN GRULLON,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 04-CO-1263-M
)	
DIRECTOR, IMMIGRATION AND)	
CUSTOMS ENFORCEMENT, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION AND ORDER

The petitioner, Franklin Grullon, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, asserting that he was being illegally detained by the respondents. (Doc. 1, p. 1). He alleges that he is due to be released from custody. The respondents have filed a motion to dismiss this matter asserting that it is due to be dismissed as successive premised on other current litigation the petitioner is pursuing in the Eastern District of New York. (Doc. 9). On January 27, 2005, the magistrate judge assigned this matter entered an order requiring the petitioner to show cause why this matter should not be dismissed. The petitioner has not responded. Upon consideration of the matter, the court finds that the petition is due to be dismissed. Accordingly, this matter is hereby **DISMISSED**.

Done 15th day of February 2005.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE